

Version
as at 8 July 2023



COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 15) 2021

(SL 2021/375)

COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 15) 2021: revoked, on 8 July 2023, by Schedule 1 clause 1(1) of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35).

Cindy Kiro, Governor-General

Order in Council

At Wellington this 22nd day of November 2021

Present:

Her Excellency the Governor-General in Council

This order is made under section 27 of the COVID-19 Recovery (Fast-track Consenting) Act 2020 on the advice and with the consent of the Executive Council and on the recommendation of the Minister for the Environment.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This order is administered by the Ministry for the Environment.

Schedule
New Schedule 35 inserted

3

Order

1 Title

This order is the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 15) 2021.

2 Commencement

This order comes into force on 26 November 2021.

3 Principal order

This order amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020.

4 New Schedule 35 inserted

After Schedule 34, insert the Schedule 35 set out in the Schedule of this order.

Schedule
New Schedule 35 inserted

cl 4

Schedule 35
Flint's Park, Ladies Mile—Te Pūtahi

cl 5

Project referred to expert consenting panel

1 Name of project

The name of the project is the Flint's Park, Ladies Mile—Te Pūtahi (the **project**).

2 Authorised person

The authorised person for the project is Glenpanel Development Limited.

3 Description of project

- (1) The scope of the project is to subdivide land (15.6 hectares) in Lake Hayes, Queenstown and construct a housing development on that land.
- (2) The development will consist of—
 - (a) approximately 384 residential units or (if a proposed primary school is constructed) approximately 179 residential units; and
 - (b) a neighbourhood commercial centre; and
 - (c) an early childhood centre; and
 - (d) a heritage building, Glenpanel Homestead (which will be retained, with additions for commercial use); and
 - (e) public open space; and
 - (f) infrastructure associated with the subdivision and the development described in paragraphs (a) to (e), including roads, parking, and infrastructure for three waters services.

4 Description of activities involved in project

The project may involve the following activities:

- (a) subdividing land:
- (b) clearing vegetation:
- (c) carrying out earthworks (including disturbing potentially contaminated soils):
- (d) constructing roads, parking, and public-transport related structures:
- (e) constructing infrastructure for three waters services:

- (f) discharging stormwater run-off and contaminants onto land:
- (g) diverting, and laying pipes in, existing drainage structures:
- (h) constructing residential units:
- (i) constructing commercial buildings:
- (j) adding to a heritage building (Glenpanel Homestead):
- (k) developing land for public open space, including by landscaping and planting:
- (l) carrying out any other activities that are—
 - (i) associated with the activities described in paragraphs (a) to (k); and
 - (ii) within the scope of the project as described in clause 3 of this schedule.

5 Approximate geographical location

The project will occur at 429 Frankton-Ladies Mile Highway (State Highway 6), Lake Hayes, Queenstown.

6 Further information to be submitted

The following information must be submitted to the panel with any consent application relating to the project (in addition to other information required by clause 9 of Schedule 6 of the Act):

- (a) an assessment of the activities involved in the project against the following documents:
 - (i) the Queenstown Lakes Spatial Plan:
 - (ii) proposed Plan Change 8 (Discharge management) to the Regional Plan: Water for Otago:
- (b) an assessment (accompanied by engineering plans and prepared in consultation with local authorities) of—
 - (i) the existing condition and capacity of the relevant infrastructure for three waters services; and
 - (ii) any upgrades to that infrastructure that are required to service the development; and
 - (iii) any funding required to carry out those upgrades (including how they will be funded):
- (c) an integrated transport assessment, prepared in consultation with the New Zealand Transport Agency, that—
 - (i) identifies the existing capacity of State Highway 6 to service additional traffic arising from the development; and

- (ii) identifies any upgrades to the road network in the vicinity of the project that are required as a result of that additional traffic; and
 - (iii) addresses traffic safety issues, during and after construction, arising from the proposed means of access to the site; and
 - (iv) identifies access, during and after construction, that is an alternative to direct access from State Highway 6; and
 - (v) identifies how public transport-related structures included in the development (for example, bus shelters) will support the use of public transport; and
 - (vi) identifies the availability and feasibility of safe spaces for active modes of transport (such as cycling and walking):
- (d) an assessment of the potential greenhouse gas emissions resulting from the project, including consideration of options to avoid, remedy, and mitigate those emissions:
- (e) an archaeological assessment of the project site.

7 Persons who must be invited to comment on project

An expert consenting panel must invite comments on any consent application relating to the project from the following persons in addition to the persons listed in clause 17(6) of Schedule 6 of the Act:

- (a) the New Zealand Transport Agency;
- (b) Aukaha (1997) Limited and Te Ao Mārama Incorporated (as agents of the relevant Ngāi Tahu Papatipu Rūnanga).

8 No further provision required

No further provision is necessary to give effect to decisions made by the Minister under section 24 of the Act in respect of the project.

Statement of reasons

This statement of reasons is published for the purposes of clause 4 of Schedule 3 of the Act

The Minister for the Environment has accepted this application for referral. The Minister considered the application against the criteria in the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the **Act**) and the Act's purpose, and sought and considered written comments from the relevant Ministers, Queenstown-Lakes District Council, Otago Regional Council, and the New Zealand Transport Agency. The Minister has accepted this application for the following reasons:

- the project will help to achieve the purpose of the Act;
- the project will have positive effects on social well-being by providing additional housing in an area that has a housing shortage and by providing public open space:

- the project will generate employment by providing approximately 181 full-time equivalent jobs per year over a 5-year construction period:
- the project will increase housing supply through the construction of approximately 384 residential units or (if a proposed primary school is constructed) approximately 179 residential units:
- the project is likely to progress faster than would otherwise be the case under the Resource Management Act 1991 standard processes:
- any actual and potential effects on the environment, and proposed measures to mitigate adverse effects, can be appropriately tested by an expert consenting panel against Part 2 of the Resource Management Act 1991 and the purpose of the Act.

Rachel Hayward,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 26 November 2021, amends the COVID-19 Recovery (Fast-track Consenting) Referred Projects Order 2020. The effect of the amendment is to refer a project to an expert consenting panel for the purpose of the COVID-19 Recovery (Fast-track Consenting) Act 2020 (the Act). The referred project is the project named and described in *new Schedule 35*.

The effect of the referral is to authorise Glenpanel Development Limited to apply under the Act, instead of under the Resource Management Act 1991, for resource consents relating to the project described in *new Schedule 35*.

The expert consenting panel will be appointed under Schedule 5 of the Act and make decisions in accordance with Schedule 6 of the Act.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 25 November 2021.

Notes

1 *General*

This is a consolidation of the COVID-19 Recovery (Fast-track Consenting) Referred Projects Amendment Order (No 15) 2021 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

COVID-19 Recovery (Fast-track Consenting) Act 2020 (2020 No 35): Schedule 1 clause 1(1)